

REMARKS

Claims 1-37 are currently pending in the subject application and are presently under consideration. The Examiner is thanked for courtesies extended during a telephone discussion related to the case on March 3, 2008. The main focus of the discussion rested on potential amendments to the claims to differentiate the claims from the overall state of the art. The interview was conducted with Ronald Krosky (Reg. No. 58,564), and Examiner Chih-Ching Chow. Claims 1, 18, and 30 have been amended herein to further emphasize aspect of applicants' claimed subject matter. A version of all pending claims is presented on pages 2-6 of this Reply. Further, a terminal disclaimer is filed concurrently herewith in connection with the subject application and US 2005/0091269 A1 and US 7,137,099. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1 and 30 Under the Judicially Created Doctrine of Obviousness Type Double Patenting

Claims 1 and 30 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 18 of U.S. Patent No. 7,137,099 and U.S. Application Serial No. 2005/0091269A1, respectively. A terminal disclaimer is being filed concurrently herewith in connection with the subject application and US 2005/0091269A1 and US 7,137,099, and therefore it is believed that this rejection is now moot and should be withdrawn.

II. Rejection of Claim 1-17 Under 35 U.S.C. §112

Claims 1-17 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection should be withdrawn for at least the following reason. Claim 1 has been amended herein to cure the minor informality identified by the Examiner. More particularly, claim 1 has been amended to recite "accessor" rather than "assessor" as suggested by the Examiner. Accordingly, the rejection of claim 1 (and claims that depend there from) is now moot and should be withdrawn.

III. Rejection of Claims 1, 2, 5-16, 18, 21, and 23-28 Under 35 U.S.C. §102(b)

Claims 1, 2, 5-16, 18, 21, and 23-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Knutson *et al.* (US 5,870,746). This rejection should be withdrawn for at least the following reason. Knutson *et al.* does not disclose or suggest all features set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The subject matter as claimed relates to an information agent system, application and methodology wherein the information agent system, for instance, provides a platform for executing information agent applications. The information agent applications that are supplied can then be programmed, for example, by end-users and employed as end-user executive assistants or agents. Independent claims 1 and 18, as amended, recite similar aspects, namely: *an accessor that based at least in part on a Nth order accessor constraint effectuates actions and conditions associated with the content of the folders across multiple domains via resolve or link values associated with two or more different executable applications, the Nth order determined by a relationship to the end-user*. Knutson *et al.* does not disclose or suggest these features of applicants' claimed subject matter.

Knutson *et al.* discloses a system and method that allows a user to segment and partition a database based upon attributes associated with the data in the database. Further, Knutson *et al.*, also provides a system and method for generating a report for a user which allows the user to make decisions, without requiring the user to understand or interpret data itself. However, the cited document fails to, based at least in part on Nth order accessor constraints, effectuate actions and conditions, associated with content of

folders across multiple domains via resolve or link values associated with two or more different executable application, where the Nth order of the accessor constraint can be determined by a relationship to an end-user. Nowhere in the disclosure provided by Knutson *et al.* is this feature disclosed or suggested. Accordingly, in view of at least the foregoing, withdrawal of this rejection with respect to independent claims 1 and 18 (and claims that depend there from) is respectfully requested.

IV. Rejection of Claims 3 and 4 Under 35 U.S.C. §103(a)

Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.* as applied to claim 1 above, and further in view of Bailey (“On-Event-Condition-Action language for XML”). This rejection should be withdrawn for at least the following reason. Claims 3 and 4 depend from independent claim 1; and Bailey does not cure the aforementioned deficiencies of Knutson *et al.* with respect to independent claim 1. Accordingly, withdrawal of the rejection of claims 3 and 4 is requested

V. Rejection of Claims 17 and 29 Under 35 U.S.C. §103(a)

Claims 17 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.* as applied to claims 1 and 18 above respectively, and further in view of Ku *et al.* (US 6,532,471). Withdrawal of this rejection is requested for at least the following reason. Claims 17 and 29 depend from independent claims 1 and 18 respectively; and Ku *et al.* fails to makeup for the aforementioned deficiencies of Knutson *et al.* with respect to independent claims 1 and 18. Accordingly, it is believed that claims 17 and 29 are in condition for allowance and that this rejection should be withdrawn.

VI. Rejection of Claims 19, 20 and 22 Under 35 U.S.C. §103(a)

Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.* as applied to claim 1 and 18 above respectively, and further in view of Thuraisingham (US 5,481,700). This rejection should be withdrawn for at least the following reasons. Claims 19, 20 and 22 depend from independent claim 18, and Thuraisingham does not remedy the deficiencies presented by Knutson *et al.* with respect

to such claims. Accordingly, withdrawal of this rejection is respectfully requested.

VII. Rejection of Claims 30-37 Under 35 U.S.C. §103(a)

Claims 30-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knutson *et al.*, Watters (US 6,490,718), and Saxe *et al.* (US 6,343,376). Withdrawal of this rejection is requested for at least the following reasons. Knutson *et al.*, Watters and Saxe *et al.*, either alone or in combination, fail to teach or suggest all features set forth in the subject claims.

Independent claim 30, as amended, recites: *writing user preferences with respect to one or more named groups of data in accordance with a developer schema, **the user preferences based at least in part on a determination of an Nth order relationship between the one or more named groups of data and a user.*** Neither Knutson *et al.*, Watters nor Saxe *et al.*, individually and/or in combination, teach or suggest all aspects of applicants' claimed subject matter.

As stated *supra*, Knutson *et al.* discloses a system and method that allows a user to segment and partition a database based upon attributes associated with the data in the database, but Knutson *et al.* does not teach or suggest writing user preferences with respect to one or more named groups of data in accordance with a developer schema wherein the user preferences can be based at least in part on a determination of an Nth order relationship between the one or more named groups of data and a user. Nowhere do Knutson *et al.* contemplate, let alone articulate, such features. Further, Watters and Saxe *et al.* are similarly deficient in this regard.

Watters provides a system and method for processing electronic data interchange information but fails to teach or suggest user preferences that are based at least in part on a determination of an Nth order relationship between the one or more named groups of data and a user. Saxe *et al.* discloses a system and method for increasing the speed of operation of a theorem prover relating to program verification using adaptive pattern matching technique, however, like both Knutson *et al.* and Watters, Saxe *et al.* does not disclose or suggest user preferences that can be based at least in part on a determination of an Nth order relationship between the one or more named groups of data and a user. Thus, Watters and Saxe *et al.* do not make up for the deficiencies in Knutson *et al.*

Accordingly, withdrawal of this rejection with respect to independent claim 30, and associated dependent claims, is requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP545USB].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731